

Citizens' Defense News

CDN MON 26 AUG 96 1600 HRS

WASHINGTON DC (CDN) - Militia attendees to the Bill of Rights Rally in Washington, D.C., this Labor Day weekend have been asked by the Pennsylvania contingency to attend a meeting at "The Wall" at 5:00 p.m. ET on Saturday, August 31, 1996. Details of this meeting are unknown at this time.

MACON (CDN) - At Fridays motion hearings, Greg Spicer, attorney for Troy Spain, argued to remove the incident known as DFACS from the original indictment due to the fact that it does not fall within U.S. jurisdiction. However, U.S. Assistant Attorney Samuel Wilson, who has been called in to "bail out" Attorney Sharon Ratley, responded by noting that a document known as the "Declaration", apparently written and signed by several militia leaders (On April 13, 1996), was written because of this incident.

Upon the "Shakespearean" reading of this document in open court by Wilson, Nancy Lord, attorney for Robert Starr, startled the courtroom by slamming her hand on the desk in protest. "...That document has nothing to do with the DFACS incident!," said Lord. She also stated that "she had personal knowledge that this document (The Declaration) was written by other people in a different state".

Later, outside the courtroom, still visibly shaken by Wilson's reading, Nancy Lord said in an interview, "Wilson's reading of that document is an insult to the people who wrote it". She hopes to ask the judge not to

allow Wilson to read it again.

In other news...

MACON - At 3:21 p.m. ET, the following motions were filed in the Clerk of Courts office at the Federal Court in Macon on Aug 21, 1996:

Motion #1

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA

MACON DIVISION

UNITED STATES OF AMERICA	:	CRIMINAL NO.
	:	5:96-CR-21-DF
	:	
VS.	:	
	:	
ROBERT STARR III,	:	
WILLIAM JAMES MCCRANIE, JR	:	
AND TROY ALLEN KYSER a/k/a/	:	
"TROY SPAIN"	:	

GOVERNMENT'S MOTION IN LIMINE (pronounced lim-men-knee)

COMES NOW the United States of America, by and through its attorney, the

United States Attorney for the Middle District of Georgia, and requests that the Court order the defendants and their counsel refrain from making statements concerning cases which are not on trial here in the Court, i.e. , making references to Waco and Ruby Ridge, and other cases which have been tried in Courts outside of this District and which have no relevance to this case. Remarks such as those made by counsel during the preliminary hearings which infer that government agents, on other occasions have acted improperly have no relevance to a trial before a jury which should decide this case based solely on the evidence presented in this case. Extraneous remarks made by counsel about Waco and other similar events are intend only the prejudice the jury and to distract from the facts in the case.

Therefore, the government request the Court order the Defendants and their counsel to refrain from making remarks concerning cases which are not presently on trial.

RESPECTFULLY SUBMITTED this 21st day of August, 1996

H. RANDOLPH ADERHOLD

UNITED STATES ATTORNEY

BY: SHARON T. RATLEY (with signature)

Georgia State Bar Number (withheld)

AND: SAMUEL A. WILSON, JR. (with signature)

Georgia State Bar Number (withheld)

WE INTERRUPT THIS UN-BIASED NEWS REPORT FOR AN EDITORIAL COMMENT BY THIS REPORTER:

After reading this and the next motion, I am sickened by the unmitigated GALL of the federal government, to dare tell people that they are holding (without bond) what they can and cannot say about the BATF. Let me see here... they probably don't want us to mention Oklahoma City, either. By the way, Eddy Smith (you remember her - she lost 2 young children in the Murrah Building) wants to know why were there no BATF agents in the building. SHE STILL HAS NOT RECEIVED A TRUTHFUL ANSWER !!

I guess the Good Ol' Boys Roundup is out, too. Nope, don't wanna tell the jury that these armed tax collectors were in southern Tennessee selling "Nigger Hunting Licenses". That's right, it has NOTHING to do with this case (... and heaven forbid, a black person gets on the jury).

To stand in a courtroom, and read a document that has absolutely nothing to do with the case, to introduce patriot literature as evidence in order to attack the character of the accused, to have a BATF spokesman tell CBS News that the accused were planning to blow up the Olympics, and then say "Judge, please do let them sway the jury by saying bad things about our cute little jack boots" is an insult to the American intellect.

I'm sure that like-minded individuals can and will send us plenty of assorted stories about the behavior of these state sponsored terrorists without mentioning Waco and Ruby Ridge. (Go ahead folks, send it in !)

Face it Sharon, no one has to be told about these and other acts of outrageous behavior by these "enforcement agents" . THEY ALREADY KNOW !!! They watch television, read the newspapers, and like many U.S. Judges, read the INTERNET. So... If character is to be an issue in this case, then so be it.

And one more thing: The jury in this case can (and will) make their decision on the basis of whatever they feel like... the evidence, the law, the government's behavior, etc., regardless of what the government, the judge, or even the defense says!

It's called the seventh amendment. As a matter of fact, take a walk to the base of that flag pole just outside of the Macon Federal Court Building. On that bronze plaque (just under your nose) you will find the Bill of Rights. How about filing a motion to have it removed during trial, too?. Nobody who works there reads it, anyway.

J.J. Johnson - Reporter with an Attitude

WE NOW RETURN TO OUR REGULARLY SCHEDULED NEWS.

Motion #2 (Same Header as the Motion #1)

GOVERNMENT'S MOTION IN LIMINE

COMES NOW the United States of America, by and through its attorney, the United States Attorney for the Middle District of Georgia, and requests that the Court order the defendants and their counsel refrain from

mentioning or making any reference to the following items which were provided to the government as reciprocal discovery until such time as the Court has ruled (outside the presence of the jury) on their relevance and admissibility.

The items are:

(1) Sample copy of Here your 'FIJA' Jury Power Information Kit marked Defendant's Exhibit 4;

(2) Witness Tree Farms catalog marked Defendants Exhibit 15;

(3) The Gun Owner Vol. 13 Number 2, April 26, 1994, Gun Owners of America "The Felon-Only Check," Citizens for Safe Government, Inc. application for membership, letter to Honorable Brian Joyce, Georgia House of Representatives from Gun Owners of America, letter to Robert Starr from Gun Owners of America, all marked Defendants Exhibit 16;

(4) Copy of letter to editor page from Macon Telegraph dated June 15, 1995, Marked Defendant's Exhibit 17;

(5) Pamphlet entitled "The Ultimatum Resolution" by Joseph Stumph and letter from Joseph Stumph marked Defendant's exhibit 18;

(6) Three paragraphs written by Thomas Posey, page entitled "Who is the perceived enemy test," two letters from Howard Rabb, page entitled "Time to Stand Up for Our God Given Rights," page headed "The Second Amendment" with ad for Charles Collins on back, cartoon, ad for Hex

Cache-It Storage, membership form for National Center for Constitutional Studies, and three handwritten pages all marked Defendant's Exhibit 19;

(7) Special Report from the National Center for Home Education titled "United Nations Convention on the Rights of the Child" and 34 page document headed World Declaration on the Survival, Protection and Development of Children, all marked Defendant's Exhibit 23;

(8) Saul K. Padover's book "Jefferson" marked Defendant's Exhibit 10;

(9) "The Truth" Vol. 2 Issue 1, 1996, appearing to be a newsletter with drawing of President and Mrs. Clinton marked Defendant's Exhibit 12;

(10) "Democracy v. Republic," article published in American Survival Guide, Dec. 1995, Vol. 17, No 12, and "Medical Self Help: Homeopathy and the Survivalist" and "Enemy of the Republic" and an ad entitled "Beat Big Brother" from the American Survival Guide, Oct. 1993 marked Defendant's Exhibit 13;

(11) Pamphlet "Fully Informed Jury Association True or False ? When you sit on a jury you have the right to vote your conscience," marked Defendant's Exhibit 14;

(12) Numerous pages of handwriting which appears to be Defendant Starr's and relates to Militia, an article entitled "A Heartfelt Invitation to Black Americans," news article entitled "Ex-Director of ATF defends actions against Koresh's cult," label from Ontrack Cocaine drug test, all marked Defendant's Exhibit 7;

- (13) The Citizens Rule Book marked, Defendant's Exhibit 22;
- (14) Operation Vampire Killer 2000, marked Defendant's Exhibit 3;
- (15) Operation Garden Plot, marked Defendant's Exhibit 11;
- (16) Gun Control Gateway to Tyranny;
- (17) Lethal Laws "Gun Control" Is the Key to Genocide, marked Defendant's Exhibit 2;
- (18) The Blue Book issued by the Militia of Montana; and,
- (19) Out of Control by Brenda Scotts marked Defendant's Exhibit 9.

This case involves threats against federal Agents, conspiracies to use firearms during a crime of violence, conspiracy to use a weapon of mass destruction, possession of a destructive device, and a possession of a semi-automatic assault weapon which has been modified so as to be banned under Title 18, United States Code (sec.) 922 (v). The items provided as reciprocal discovery are not relevant, to the government would request the Defendants and their attorney's be ordered not to mention them to the jury.

Further the government would request the names of the following witnesses, nor any statements as to their intended testimony be mentioned before the jury until such time as the Court finds their testimony to be relevant:

Aaron Zellman

Leonard M. Grummell

Officer Jack McLamb

According to the notice provided to the government, the Defendant intends for these witnesses to testify about the documents listed above and which the Defendants claims that he relied on to form his belief and intent.

The Defendant's beliefs are not on trial. The question the jury must decide is whether the Defendant committed the acts alleged in the indictment and whether he had the intent to do the acts which violated the law.

Whether the Defendant believes in the gun control or Vampire Killer 2000 has no relevancy as to whether or not he did the acts or conspired to do acts which violate the law. It appears that the Defendant intends to claim that he is not governed by the laws of this country because he has a different belief.

Therefore, until such time as the Court has ruled on the relevancy of these items and these witnesses, the government would request that the Defendants nor his attorneys be allowed to mention either before the jury.

RESPECTFULLY SUBMITTED, this 21st day of August, 1996.

H. RANDOLPH ADERHOLD

UNITED STATES ATTORNEY

BY: SHARON T. RATLEY (with signature)

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Note: Similar evidence was confiscated from Robert Starr's vehicle on the day of his arrest.

MACON (CDN) A Florida militiaman says the Starr/McCrannie/Spain trial has become less of a trial and more of a "P.O.W. rescue operation".

ATLANTA (CDN)- Constitutional experts predict that federal authorities will "find" and charge a suspect in the Olympic Centennial Park Bombing shortly before or during the Starr/McCrannie/Spain trial.

ATLANTA (CDN) - During a press conference today, Richard Jewell's Mother, Barbara Jewell, tearfully asked President Bill Clinton to tell the Justice Department to arrest her son or lay off. No comment from the White house.

OHIO (CDN) President Clinton today wants to ban more guns, meanwhile in Indiana, Bob Dole says he wants to use the U.S. Military as a domestic

law enforcement tool, both say militia are nuts.... Film at 11.

The news continues...

Editor's note:

After several responses, we humbly apologize for misspellings and other editorial corrections that may have not been done in past CDN postings. The defense staff as well as those gathering information concerning this and other cases are volunteers working 24 hours a day. New software now installed will help us better serve you, the reader.

All Citizens Defense News reports begin with the header:

CDN SUN 01 SEP 96 0000 HRS (example)

...indicating time and date posted. We will strive from this point to insure that all CDN reports are timely and accurate information, with support documentation provided or available upon request in a regular news wire format.

Reports from this point forward will no longer say "Macon Update ..." .

All CDN reports will now say "Citizens Defense News" in the SUBJECT field.

We hope to also give updates and reports from court cases in Arizona, Washington and other places across the country and stories from the INTERNET. Editorials are welcome at <league@macon.mindspring.com>. We ask that you format your reports and editorials similar to what you would see in a local or national newspaper.

Newsletters and a WWW site ("CDN hyperactive") expected by October. All hard copies CDN reports will be available at the Bill of Rights Rally in Washington, and the Preparedness Expo in Indianapolis.

Thank you for your continuing support....

There will be nightly, unbaised INTERNET reports on the proceedings in the U.S. vs. Starr/McCranie/Spain case.

To be placed on the receiving list, e-mail with the words "MACON COURT LIST" in the SUBJECT field of your message. All attachment files will be in DOS (.txt) format. Postings start Sep 16th.

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